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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,889	08/20/2001	Robert T. Jurdi	100.250US01	6368

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FOGG AND ASSOCIATES, LLC  
P.O. BOX 581339  
MINNEAPOLIS, MN 55458-1339

EXAMINER

BOAKYE, ALEXANDER O

ART UNIT PAPER NUMBER

2667

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/933,889

Applicant(s)

JURDI ET AL.

Examiner

ALEXANDER BOAKYE

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 6 is/are rejected.
- 7) ☒ Claim(s) 2-5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 6 is rejected under 35 U.S.C. 102(e) as being anticipated by Gupta et al. (US Patent # 6,731,627).

Regarding claim 6, Gupta teaches a method for reducing common mode noise on a communication line carrying asynchronous subscriber line (ADSL) signals (column 16, lines 63-65): the method comprising: receiving ATM cells having data for transmission over the communication line (column 9, lines 65-67); processing the cells to remove the data (column 13, lines 21-31); preparing the data for transmission as ADSL signals over the communication line (column 6, lines 35-45); and passing the ADSL signals through a common mode choke to reduce noise in the ADSL signals prior to transmission (column 16, lines 63-65).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over So et al. (US Patent # 6,614,761) in view of Gupta et al. (US Patent # 6,731,627).

Regarding claim 1, So teaches a channel card for communicating asymmetric subscriber line (ADSL) traffic over a communication line (column 4, lines 52-54 ; channel card is inherent in ADSL card )an asynchronous transfer mode (ATM) section providing an interface to a cell bus of a chassis and providing ATM processing of cells(column 6, lines 7-10; the claimed cell bus of chassis reads on transmit-receive cell bus interface 770 of Fig. 2); and a transceiver section, coupled to ATM section, the transceiver section including at least one subscriber port, the transceiver section providing for modulation and demodulation of data for at least one subscriber port (column 4, lines 59-62 ; the claimed transceiver section corresponds to transmit cell and receive cell processing part as indicated in Fig. 2; the claimed subscriber port corresponds to subscriber port connecting ADSL processing part 710 of Fig. 2). So differs from the claimed invention in that So does not disclose a common mode choke for reducing noise on the communication line. However, Gupta from the same field of endeavor discloses a common mode choke for reducing noise on the communication line (column 16, lines 63-65). One of ordinary skill in the art would have been

motivated to incorporate a common mode choke into the communication network of So in order to reduce noise on the communication line. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a common mode choke such as the one taught by Gupta into the communication network of So with the motivation being that it provides capability for reducing interferences, thus enhancing signal transmission.

### ***Allowable Subject Matter***

2. Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is ( 571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 272-3179. The fax number is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or

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proceeding should be directed to the Electronic Business Center numbers 866-217-9197 and 703-305-3028.

Alexander Boakye

Patent Examiner

**AB**

4/30/05

  
CHI PHAM  
SUPERVISORY PATENT EXAMINE  
TECHNOLOGY CENTER 2800 5/1/05